

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-CV-12253MLW

STEVEN MCDERMOTT, et al.

Plaintiffs,

v.

FEDEX GROUND PACKAGE SYSTEMS, INC.,

et al.

Defendants.

**DEFENDANT CARDINAL HEALTH 200, INC. f/k/a
ALLEGIANCE HEALTH CARE, INC.'S WITHDRAWAL OF ITS MOTION TO
DISMISS FOR LACK OF PERSONAL JURISDICTION**

Defendant Cardinal Health 200, Inc. f/k/a Allegiance Health Care, Inc. ("Cardinal Health 200") hereby withdraws its motion to dismiss for lack of personal jurisdiction. As counsel for Cardinal Health 200 has discovered facts which it believes are sufficient to give rise to general personal jurisdiction over Cardinal Health 200 in the Commonwealth. The accompanying motion to dismiss filed on behalf of D.Ponce, however, is not being withdrawn.

Respectfully submitted,
Defendant
CARDINAL HEALTH 200, INC. F/K/A
ALLEGIANCE HEALTHCARE, INC.
By its attorneys,

/s/ Michael D. Riseberg

John F.X. Lawler, BBO #546910

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Dated: August 6, 2007

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on **August 6, 2007** this document is being filed through the ECF system and, accordingly, is being sent electronically to the registered participants as identified on the Notice of Electronic Filing and a paper copy will be sent to any party indicated as a non registered participant.

/s/ Michael D. Riseberg
Michael D. Riseberg, BBO #567771

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